

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

04 11572 JLT

DOCKET NO:

SUSAN COONEY,
Plaintiff,

v.

MAGISTRATE JUDGE Alexander

HUMANISTIC PSYCHOLOGY
INSTITUTE, d.b.a. SAYBROOK
INSTITUTE and MAUREEN O'HARA,
Individually,
Defendants.

RECEIPT # 87864
AMOUNT \$50
SUMMONS ISSUED N/A
LOCAL RULE 4.1
WAIVER FORM
MCF ISSUED
BY DPTY. CLK. JOM
DATE

NOTICE OF REMOVAL

**TO THE JUDGES OF THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

A. INTRODUCTION

Pursuant to 28 U.S.C. § 1446(a), defendants Humanistic Psychology Institute d.b.a. Saybrook Institute and Maureen O'Hara hereby invoke this Court's jurisdiction under the provisions of 28 U.S.C. §§ 1332 and 1441(a) and state the following grounds for removal:

1. On June 1, 2004, an action styled and captioned as above and assigned Civil Action No. 04-02246 was filed against the defendants in the Middlesex Superior Court. Copies of the Summons and Complaint are attached as Exhibit "A."

2. In this action, Susan Cooney asserts claims against Humanistic Psychology Institute d/b/a. Saybrook Institute for breach of contract, promissory estoppel, denial of due process and violation of M.G.L. Ch. 93A. In addition, she has asserted a 93A claim against Saybrook's president, Maureen O'Hara.

3. Plaintiff served the Summons, Complaint, Civil Action Cover Sheet and Tracking Order upon the defendants on or about June 28, 2004.

4. The Summons, Complaint, Civil Action Cover Sheet and Tracking Order constitute all process, pleadings and orders served on the removing defendants to date in this action.

5. This Notice of Removal of the case to the United States District Court is filed by the removing defendants within 30 days of both the date on which service was made and the date on which the removing defendant received the Summons and Complaint. Accordingly, this removal petition is filed in a timely manner pursuant to the provisions of 28 U.S.C. § 1446(b). See Murphy Brothers, Inc. v. Michetti Pipe Stringing, Inc., 526 U.S. 344, 347-48, 119 S. Ct. 1322, 1325 (1999). The removing defendants have provided written notice as required by 28 U.S.C. § 1446(d) to the adverse party and clerk of the state court in which this case was initially filed.

B. GROUND FOR REMOVAL

1. Jurisdiction exists over this removed action pursuant to 28 U.S.C. § 1441 because this action could originally have been filed in this Court pursuant to 28 U.S.C. § 1332(a)(1) on the basis that there is complete diversity of citizenship between the parties, and the amount in controversy exceeds \$75,000.

a. Defendant Humanistic Psychology Institute d.b.a. Saybrook Institute is a California corporation with its principal place of business in San Francisco, California.

b. Defendant Maureen O' Hara is an individual residing in California with a business address as 450 Pacific Avenue, San Francisco, California.

c. Plaintiff, Susan Cooney, based on her Complaint, is an individual, residing at 1445 Centre Street, Newton Centre, Massachusetts.

C. AMOUNT IN CONTROVERSY EXCEEDS \$75,000

Based on the claims asserted in the Complaint and as filed by the plaintiff in the Civil Action Cover Sheet, the amount in controversy exceeds \$75,000. A copy of the Civil Action Cover Sheet is attached as Exhibit "B."

D. CONSENT OF ALL DEFENDANTS

Both defendants consent to removing this action to this Court.

E. VENUE ALLEGATIONS

Pursuant to 28 U.S.C. § 106 and § 1446(a) and (b), the state court action which was commenced in the Middlesex Superior Court, may be removed to this Federal District Court which embraces Middlesex County.

WHEREFORE, the removing defendants requests that the action pending in Middlesex County, be removed therefrom to this Court and proceed as an action properly removed to this Court.

Respectfully Submitted By,

Counsel for Defendants,
HUMANISTIC PSYCHOLOGY INSTITUTE,
d.b.a. SAYBROOK INSTITUTE
and MAUREEN O'HARA



Michael F. Aylward, BBO #024850


Grace V. Bacon, BBO #640970

Morrison Mahoney LLP

250 Summer Street

Boston, MA 02210

Tel. (617) 439-7500

I hereby certify that a true copy of the above document was served upon (each party appearing pro se and) the attorney of record for each (other) party by mail (by hand) on 7/14/04


TO PLAINTIFF'S ATTORNEY: PLEASE CIRCLE TYPE OF ACTION INVOLVED: —
TORT — MOTOR VEHICLE TORT — CONTRACT —
EQUITABLE RELIEF — OTHER

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss
[seal]

SUPERIOR COURT
DEPARTMENT
OF THE
TRIAL COURT
CIVIL ACTION
No. 04-2246F

SUSAN COONEY, Plaintiff(s)

v.

HUMANISTIC PSYCHOLOGY
INSTITUTE d/b/a SAYBROOK, Defendant(s)

SUMMONS

To the above-named Defendant:

You are hereby summoned and required to serve upon Paul W. Morenberg, Esq. of Kerstein, Coren, Lichtenstein and Finkel, LLP, plaintiff's attorney, whose address is 233 Needham Street

Fifth Floor, Newton, MA 02464, an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You are also required to file your answer to the complaint in the office of the Clerk of this court at 40 Thorndike Street, Cambridge, MA 02141 either before service upon plaintiff's attorney or within a reasonable time thereafter.

Unless otherwise provided by Rule 13(a), your answer must state as a counterclaim any claim which you may have against the plaintiff which arises out of the transaction or occurrence that is the subject matter of the plaintiff's claim or you will thereafter be barred from making such claim in any other action.

Suzanne V. DeVecchio

Witness, Robert A. McLaughlin, Esquire, at

the Third day of June

in the year of our Lord 2004

Edward J. Sullivan
Clerk

NOTES.

1. This summons is issued pursuant to Rule 4 of the Massachusetts Rules of Civil Procedure.
2. When more than one defendant is involved, the names of all such defendants should appear in the caption. If a separate summons is used for each defendant, each should be addressed to the particular defendant.

PROOF OF SERVICE OF PROCESS

I hereby certify and return that on
19....., I served a copy of the within summons, together with a copy of the complaint in this action,
upon the within-named defendant, in the following manner (See Mass. R. Civ. P. 4 (d) (1-5)):

Dated:

N.B. TO PROCESS SERVER:

**PLEASE PLACE DATE YOU MAKE SERVICE ON DEFENDANT IN THIS
BOX ON THE ORIGINAL AND ON COPY SERVED ON DEFENDANT.**

(.....)
(.....)
(.....)

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX ss.

SUPERIOR COURT
DEPARTMENT
OF THE
TRIAL COURT
CIVIL ACTION
No. 04-2246F

SUSAN COONEX Plf.

v.
HUMANISTIC PSYCHOLOGY
INSTITUTE d/b/a SAYBROOK Def.

SUMMONS
(Mass. R. Civ. P. 4)

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

SUPERIOR COURT DEPT.
DOCKET NO.

SUSAN COONEY,
Plaintiff

v.

HUMANISTIC PSYCHOLOGY INSTITUTE,
d/b/a SAYBROOK INSTITUTE and
MAUREEN O'HARA, Individually
Defendants

CIVIL COMPLAINT AND
DEMAND FOR JURY TRIAL

PARTIES / JURISDICTION

1. Plaintiff, Susan Cooney, is an individual residing at 1445 Centre Street, Newton Centre, Middlesex County, Massachusetts, 02459.
2. Defendant, Humanistic Psychology Institute, Inc. (hereinafter "HPI"), is a corporation licensed by the State of California, with a business address of 450 Pacific Avenue, San Francisco, California.
3. HPI does business as Saybrook Institute, an educational institution that offers graduate studies in Human Science, Psychology, and Organizational Systems Inquiry. Throughout the balance of this Complaint, HPI and Saybrook Institute will be referred to, collectively, as "Saybrook."
4. Defendant, Maureen O'Hara, Ph.D., is the President of Saybrook. Maureen O'Hara has a business address of 450 Pacific Avenue, San Francisco, California.
5. Pursuant to M.G.L. Chapter 223A, Section 3, Plaintiff's causes of action against Defendants arise from the defendants:
 - (a) transacting business in Massachusetts;
 - (b) contracting to supply services in Massachusetts;
 - (c) causing tortious injury by an act or omission in Massachusetts; and/or
 - (d) causing tortious injury by an act or omission outside of Massachusetts and regularly doing or soliciting business, engaging in other persistent conduct, or deriving substantial revenue from services rendered in Massachusetts.

FACTUAL ALLEGATIONS COMMON TO ALL COUNTS

6. Saybrook provides instruction to out of state graduate students through a distance learning model. The Saybrook Institute Interim Catalogue 1994-95 ("Saybrook Catalogues") states as follows:

Because our programs are structured to meet the personal and professional needs of adult learners, and those persons not able or willing to travel to fixed classrooms, Saybrook uses a distance learning format, an adaptation of the European tutorial model which emphasizes one-to-one interaction between students and faculty. Saybrook Catalogue, p. 2.
7. Saybrook advises prospective graduate students who intend to become licensed psychologists that they must qualify for licensure through the state licensing board. The Saybrook Institute catalogue indicates that Saybrook will provide assistance to enable students to be licensed: "Saybrook is committed to assisting those students who plan to seek licensure in the state of their choice." Saybrook Catalogue, p. 3.
8. Saybrook advises students that it is qualified and competent to provide training sufficient for licensure in Massachusetts. "Saybrook graduates have been licensed in the states of Arizona, California, Connecticut, Florida, Georgia, Hawaii, Maryland, Massachusetts, Michigan, New Jersey, New York...."
9. Plaintiff enrolled in Saybrook in or about the Fall of 1995 as a graduate student in the Doctor of Philosophy in Psychology program.
10. At the time of her acceptance, and at all times during her course of her study, Susan Cooney was a resident of Massachusetts who intended to practice psychology in the Commonwealth of Massachusetts.
11. Throughout her entire course of study, no one at Saybrook advised Susan Cooney that she would encounter any difficulties in being licensed as a psychologist in the Commonwealth of Massachusetts.
12. Saybrook and its president, Maureen O'Hara, Ph.D., received repeated communications from the Massachusetts Board of Registration of Psychologists (hereinafter "the Board") and other sources that Saybrook students would not be qualified to be licensed psychologists in Massachusetts. During the period of 1995 through August, 2003, Saybrook and Dr. O'Hara did not advise Susan Cooney or other Massachusetts students of these communications.

13. After receiving the aforementioned communications, Saybrook and Dr. O'Hara continued to provide educational services to Susan Cooney and other Massachusetts students who intended to become psychologists licensed in Massachusetts.
14. Susan Cooney satisfactorily completed all required coursework at Saybrook to obtain a PhD in clinical psychology.
15. Ms. Cooney also met all other academic requirements that were established by Saybrook, including but not limited to: first and fourth year reviews of student progress; internships; clinical research; and residential conferences at the Saybrook facility in San Francisco, California.
16. Susan Cooney satisfactorily researched, wrote, edited, and defended a doctoral dissertation that was required for the award of her PhD degree.
17. Ms. Cooney met all of her financial obligations to Saybrook, including full payment of all expenses for tuition, books and supplies, student fees, and all other costs and charges.
18. Ms. Cooney was awarded her doctorate in clinical psychology on or about October, 2002.
19. In or about late, 2002 and early 2003, Susan Cooney had verbal and written communications with the Board inquiring about procedures for licensure as a psychologist in the Commonwealth of Massachusetts.
20. The Board advised Susan Cooney that she was ineligible for licensure as a psychologist because the Commonwealth of Massachusetts did not recognize Saybrook as an accredited and qualified institution to train psychologists.
21. In or about March, 2003, the Board advised Susan Cooney that Saybrook had knowledge that the Board would not provide licensure to Saybrook students.
22. On various dates through late 2002 and 2003, Susan Cooney contacted representatives at Saybrook to resolve the Board's objections to her training from Saybrook.
23. Susan Cooney has requested assistance from Saybrook to resolve this dispute, but has not received adequate assistance to qualify for state licensure.
24. Saybrook has not offered Susan Cooney an administrative hearing or any other form of due process to resolve her grievance.
25. Saybrook suggested that Susan Cooney commence legal action against the Board, and proposed defraying a limited portion of her legal costs. Saybrook has never offered to pay for Susan Cooney's entire legal costs in taking such legal action.

26. Saybrook has not initiated legal action on its own behalf against the Board.
27. Pursuant to Massachusetts General Laws, Chapter 93A, on or about September 15, 2003, Susan Cooney wrote a demand letter to advise Saybrook that it has engaged in unfair and deceptive trade practices in providing her graduate training in psychology that would not allow her to qualify for licensure, and for failing to advise her of communications from the Board that Saybrook students would be ineligible for licensure.
28. By its counsel, Saybrook responded to this demand letter on October 21, 2003, beyond the prescribed thirty-day period for responses to a Chapter 93A demand letter.

COUNT I
BREACH OF CONTRACT
(Against Saybrook)

29. Plaintiff reaffirms the allegations contained in paragraphs 1 through 28 as if fully set forth herein.
30. By paying tuition to Saybrook and by enrolling in a course of graduate study as described in the Saybrook Catalogue, a contract was formed between Plaintiff and Saybrook.
31. Plaintiff performed all her obligations under the contract.
32. Saybrook breached this contract by violating its own policies, thereby denying Plaintiff opportunities and benefits to which she was entitled under the contract.
33. Plaintiff has wrongfully been denied the opportunity to complete requirements necessary to receive licensure as a psychologist from the Commonwealth of Massachusetts.
34. Saybrook's decision to deny Plaintiff an education sufficient to obtain state licensure was arbitrary and capricious.
35. Due to Saybrook's breach of contract, Plaintiff was damaged in that she has been precluded from obtaining licensure as a Massachusetts psychologist.

COUNT II
PROMISSORY ESTOPPEL
(Against Saybrook)

36. Plaintiff reaffirms the allegations contained in paragraphs 1 through 35 as if fully set forth herein.
37. By receiving tuition and fees from Susan Cooney and by providing a course of graduate study as described in the Saybrook Catalogue, Saybrook made a promise that it was qualified to deliver professional training that would qualify her for licensure as a psychologist in Massachusetts.
38. Saybrook knew or should have known that Susan Cooney would rely on its promise to deliver professional training that would qualify her for licensure as a psychologist in Massachusetts.
39. Saybrook breached this promise, thereby denying Susan Cooney the opportunity to complete requirements necessary to receive licensure as a psychologist from the Commonwealth of Massachusetts.
40. Due to Saybrook's breach of this implied promise, Plaintiff was damaged in that she has been precluded from obtaining state licensure.

COUNT III
DENIAL OF DUE PROCESS
(Against Saybrook)

41. Plaintiff reaffirms the allegations contained in paragraphs 1 through 40 as if fully set forth herein.
42. Defendant is obligated to provide Plaintiff with due process during the course of any grievance.
43. Defendant failed to provide Plaintiff with due process by failing to provide Plaintiff with the opportunity for a hearing on her grievance.

COUNT IV
CHAPTER 93 VIOLATION
(Against Saybrook and O'Hara)

44. Plaintiff reaffirms the allegations contained in paragraphs 1 through 43 as if fully set forth herein.
45. Susan Cooney sent multiple copies of a Chapter 93A demand letter to Saybrook and various administrators at Saybrook.
46. Susan Cooney served her Chapter 93A demand letter on Maureen O'Hara, President of Saybrook.
47. Saybrook engaged in unfair and deceptive business practices in its relationship with Susan Cooney.
48. Maureen O'Hara knew that Saybrook engaged in unfair and deceptive business practices in its relationship with Susan Cooney. Specifically, Dr. O'Hara knew that the Board would not provide licensure to Saybrook Students.
49. Dr. O'Hara authorized Saybrook to provide educational services to Ms. Cooney and other Massachusetts students, and authorized the collection of tuition and fees from these students, after receiving actual or constructive notice that the Board would not license Saybrook students.
50. Saybrook and Dr. O'Hara did not provide a timely response within thirty days of their receipt of Susan Cooney's 93A demand letter. Saybrook and Dr. O'Hara did not extend a reasonable offer of settlement in its response to Susan Cooney's 93A demand letter.

WHEREFORE, Plaintiff Susan Cooney respectfully requests an order of this court:

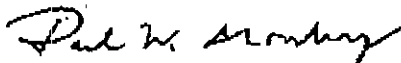
- (i) Finding that Defendant breached its contract and promise with Plaintiff and awarding damages in an amount to be determined at trial;
- (ii) Finding that Defendant violated Plaintiff's right to due process;
- (iii) Finding that Defendants engaged in unfair and deceptive trade practices, and awarding multiple damages and attorney fees in an amount to be determined at trial; and

(iv) Any other such relief this court deems just and proper.

PLAINTIFF DEMANDS A JURY TRIAL ON ALL ISSUES.

Respectfully submitted,

SUSAN COONEY,
By her counsel,



PAUL W. MORENBERG
Kerstein, Coren, Lichtenstein & Finkel, LLP
233 Needham Street
Newton, Massachusetts 02464
(617) 969-7139

Dated: May 28, 2004

JS 44 (Rev. 3/99)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Susan Cooney

(b) County of Residence of First Listed Plaintiff Middlesex
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Paul Morenberg, Esq.
Kerstein, Coren, Lichtenstein & Finkel, LLP
223 Needham St., Newton, MA 02464 617-969-7130

DEFENDANTS

Humanistic Psychology Institute d/b/a
Saybrook Institute, and Maureen O'Hara

County of Residence of First Listed
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

Michael Aylward, Esq.
Grace V. Bacan, Esq. 617-439-7500
Morrison Mahoney LLP

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State ☒ 1 ☐ DEF 1 Incorporated or Principal Place of Business in This State ☐ 4 ☐ DEF 4
Citizen of Another State ☐ 2 ☒ 2 Incorporated and Principal Place of Business in Another State ☐ 5 ☒ 5
Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 Foreign Nation ☐ 6 ☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of <input type="checkbox"/> 152 Recovery of Defrauded Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input checked="" type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury—Med. Malpractice <input type="checkbox"/> 365 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395f) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIW C/DIW W (405(g)) <input type="checkbox"/> 864 SSD Title XVI <input type="checkbox"/> 865 RS1 (405(g))	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609

V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY (See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

1. TITLE OF CASE (NAME OF FIRST PARTY ON EACH SIDE ONLY) Susan Cooney v. Humanistic Psychology Institute et al.
2. CATEGORY IN WHICH THE CASE BELONGS BASED UPON THE NUMBERED NATURE OF SUIT CODE LISTED ON THE CIVIL COVER SHEET. (SEE LOCAL RULE 40.1(A)(1)).
- I. 160, 410, 470, R.23, REGARDLESS OF NATURE OF SUIT.
- II. 195, 368, 400, 440, 441-444, 540, 550, 555, 625, 710, 720, 730, 740, 790, 791, 820*, 830*, 840*, 850, 890, 892-894, 895, 950. *Also complete AO 120 or AO 121 for patent, trademark or copyright cases
- X III. 110, 120, 130, 140, 151, 190, 210, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 370, 371, 380, 385, 450, 891.
- IV. 220, 422, 423, 430, 460, 510, 530, 610, 620, 630, 640, 650, 660, 690, 810, 861-865, 870, 871, 875, 900.
- V. 150, 152, 153.
3. TITLE AND NUMBER, IF ANY, OF RELATED CASES. (SEE LOCAL RULE 40.1(G)). IF MORE THAN ONE PRIOR RELATED CASE HAS BEEN FILED IN THIS DISTRICT PLEASE INDICATE THE TITLE AND NUMBER OF THE FIRST FILED CASE IN THIS COURT.
None
4. HAS A PRIOR ACTION BETWEEN THE SAME PARTIES AND BASED ON THE SAME CLAIM EVER BEEN FILED IN THIS COURT?
- YES NO
5. DOES THE COMPLAINT IN THIS CASE QUESTION THE CONSTITUTIONALITY OF AN ACT OF CONGRESS AFFECTING THE PUBLIC INTEREST? (SEE 28 USC §2403)
- YES NO
- IF SO, IS THE U.S.A. OR AN OFFICER, AGENT OR EMPLOYEE OF THE U.S. A PARTY?
- YES NO
6. IS THIS CASE REQUIRED TO BE HEARD AND DETERMINED BY A DISTRICT COURT OF THREE JUDGES PURSUANT TO TITLE 28 USC §2284?
- YES NO
7. DO ALL OF THE PARTIES IN THIS ACTION, EXCLUDING GOVERNMENTAL AGENCIES OF THE UNITED STATES AND THE COMMONWEALTH OF MASSACHUSETTS ("GOVERNMENTAL AGENCIES"), RESIDING IN MASSACHUSETTS RESIDE IN THE SAME DIVISION? - (SEE LOCAL RULE 40.1(D)).
- YES NO
- A. IF YES, IN WHICH DIVISION DO ALL OF THE NON-GOVERNMENTAL PARTIES RESIDE?
- EASTERN DIVISION CENTRAL DIVISION WESTERN DIVISION
- B. IF NO, IN WHICH DIVISION DO THE MAJORITY OF THE PLAINTIFFS OR THE ONLY PARTIES, EXCLUDING GOVERNMENTAL AGENCIES, RESIDING IN MASSACHUSETTS RESIDE?
- EASTERN DIVISION CENTRAL DIVISION WESTERN DIVISION
- (PLEASE TYPE OR PRINT)
- ATTORNEY'S NAME Michael Aylward and Grace V. Bacon
- ADDRESS Morrison Mahoney LLP, 250 Summer St., Boston, MA 02210
- TELEPHONE NO. 617-439-7500